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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scanlan, P.) Group Art Unit 2178
Serial No. : 10/657,555)
Filed : September 4, 2003)
For : Seamless Translation System)
Examiner : Patel, M.)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Mail Stop Group Art Unit 2178, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on

2-2-2006
Date
Kellie Piet
Kellie Piet

PETITION UNDER 37 C.F.R. §1.78(a)(2) FOR ACCEPTANCE OF UNINTENTIONALLY
DELAYED CLAIM OF PRIORITY UNDER 35 U.S.C. §120

Mail Stop Group Art Unit 2178
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

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Applicant respectfully petitions for the acceptance of an unintentionally delayed claim of priority under 35 U.S.C. 120. The present application, U.S. Patent Application Serial No. 10/657,555 was filed September 4, 2003 with the intention of claiming priority to PCT Application Serial No. PCT/AU02/00249, through 35 U.S.C. 120 and 35 U.S.C. 363. Consequently, a claim of priority to the PCT application was included on the inventor's declaration filed with the present application. See attached Exhibit A. However, Applicant inadvertently omitted to include a statement in the specification referencing the claim of priority.

Applicant respectfully submits that all the requirements needed to satisfy a claim of priority to PCT Application Serial No. PCT/AU02/00249 are satisfied. As shown in the PCT publication attached hereto as Exhibit B, the PCT application designated the US and listed

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inventor Philip Scanlan, who is the sole inventor listed on the present US application. The PCT application was published in English and is directed to the same invention; in fact, Examiner will note that the specifications of the present application and the PCT publication are identical. The PCT application was entitled to, and was granted, an international filing date of March 5, 2002 under PCT Article 11. The present application was filed on September 4, 2003 during the pendency of the PCT application, i.e. before the national entry deadline of September 6, 2003. To support the dates listed on the PCT application, and the identity of the invention disclosed, Applicant attaches as Exhibit C a certified copy of Applicant's Australian provisional specification. Applicant respectfully requests that claim of priority to PCT Application Serial No. PCT/AU02/00249 be accepted.

In accordance with M.P.E.P. §201.11(V), the present petition includes: "(A) the reference required by 35 U.S.C. 120 and 37 CFR 1.78(a)(2) to the prior application (unless previously submitted); (B) a surcharge under 37 CFR 1.17(t); and (C) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) and the date the claim was filed was unintentional."

(A) Applicant submitted the reference required by 35 U.S.C. 120 and 37 CFR 1.78(a)(2) in an amendment filed simultaneous with the present petition. For Examiner's convenience, Applicant reproduces the reference here:

Related Application Data

The present application claims the priority of commonly owned PCT Application Serial No. PCT/AU02/00249, entitled "Seamless Translation System," having an international filing

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date of 5 March 2002 and including the United States as a designated state, which, in turn, claimed the priority of Australian Provisional Application No. PR3607, entitled "Seamless Translation System," filed in Australia on 6 March 2001.


(B) Applicant encloses herewith the surcharge required by 37 CFR 1.17(t).

(C) The entire delay between the date the claim was due under 37 CFR 1.78(a)(2) and the date the claim was filed was unintentional.

Should Examiner believe that a telephone interview would advance this petition, the undersigned would invite and request such a telephone interview.

Respectfully submitted,
MORISHITA LAW FIRM, LLC

Dated: February 2, 2006

By: 

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